

ORDINANCE NO. 2001-014

1 AN ORDINANCE OF THE BOARD OF COUNTY  
2 COMMISSIONERS OF PALM BEACH COUNTY,  
3 FLORIDA AMENDING ORDINANCE 86-32, AS  
4 CODIFIED IN THE PALM BEACH COUNTY CODE  
5 SECTION 13-101 THROUGH 13-106, INCREASING  
6 MEMBERSHIP OF THE CHILDREN'S SERVICES  
7 COUNCIL FROM NINE TO TEN MEMBERS;  
8 INCREASING LIMIT ON THE MAXIMUM MILLAGE  
9 RATE THAT MAY BE LEVIED BY THE CHILDREN'S  
10 SERVICES COUNCIL OF PALM BEACH COUNTY;  
11 PROVIDING FOR REPEAL OF LAWS IN CONFLICT;  
12 PROVIDING FOR SEVERABILITY; PROVIDING FOR  
13 INCLUSION IN THE CODE OF LAWS AND  
14 ORDINANCES; PROVIDING FOR EFFECTIVE DATE.

15 WHEREAS, the Florida Legislature, pursuant to Chapter 433, Laws of  
16 Florida 2000, has authorized the Children's Services Council of Palm Beach County to  
17 increase the maximum millage rate it may levy from .5 mill to 1.0 mill of assessed valuation  
18 of all properties in Palm Beach County subject to ad valorem taxation, provided a majority  
19 vote of qualified electors of Palm Beach County voting in referendum approves such  
20 increase; and

21 WHEREAS, the Children's Services Council directed that such referendum  
22 be held in the general election November 7, 2000; and

23 WHEREAS, a majority vote of qualified electors of Palm Beach County  
24 approved at this general election the referendum granting the Children's Services Council  
25 authority to increase its maximum authorized millage rate as allowed by Chapter 433, Laws  
26 of Florida 2000; and

27 WHEREAS, the local Ordinance which establishes the Children's Service  
28 Council and governs its functions, currently limits the maximum millage rate which may be  
29 levied by the Children's Services Council to one-half mill; and

30 WHEREAS, Section 125.901, Florida Statutes, provides that the size of the  
31 Children's Services Council be increased from nine members to ten members; and

1                   WHEREAS, this Ordinance 86-32, which is codified in the Palm Beach  
2 County Code at sections 13-101 through 13-106, must be amended as set forth below to  
3 remain consistent with applicable Florida law.

4                   NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF  
5 COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

6                   Section 1. Palm Beach County Code Section 13-102 is amended as set forth below:

7                   **Sec. 13-102. Membership of children's services council.**

8                   The children's services council shall consist of ten (10) ~~nine~~  
9 ~~(9)~~ members, including the superintendent of schools, a local  
10 school board member (as selected by the school board), the  
11 district administrator from district IX or such other district as  
12 may serve Palm Beach County in the future from the state  
13 department of children and family ~~health and rehabilitative~~  
14 ~~services, and~~ a member of the board of county commissioners  
15 (as selected by the board of county commissioners), and the  
16 judge assigned to juvenile cases who shall sit as a voting  
17 member of the board, except that said judge shall not vote or  
18 participate in the setting of ad valorem taxes under this  
19 section. In the event there is more than one judge assigned to  
20 juvenile cases in a county, the chief judge shall designate one  
21 of said juvenile judges to serve on the board. The other five  
22 (5) members of the board shall be appointed by the governor  
23 and shall serve for terms of four (4) years each. If any of the  
24 members of the council required to be appointed by the  
25 governor under the provisions of this article shall resign, die  
26 or be removed from office, the vacancy thereby created shall  
27 as soon as practicable be filled by appointment by the  
28 governor; and such appointment to fill a vacancy shall be for  
29 the unexpired term of the person who resigns, dies or is  
30 removed from office.

31                   Section 2. Palm Beach County Code Section 13-104(b) is amended as set forth below:

32                   **Sec. 13-104. Finances Generally.**

33                   \* \* \*

34                   (b) On or before July 1 of each year, the children's services  
35 council shall prepare and adopt an annual written budget of its  
36 expected income and expenditures, including a contingency  
37 fund. The written budget shall be certified and delivered to  
38 the board of county commissioners on or before July 1 of each  
39 year. Included in each certified budget shall be an estimate of  
40 the millage rate necessary to be applied to raise the funds  
41 budgeted for expenditures, which millage rate shall not  
42 exceed the maximum millage rate allowed by law and applied  
43 to a maximum of fifty cents (0.50) for each one thousand  
44 dollars (\$1,000.00) of assessed valuation of all properties  
45 within the county which are subject to county taxes.

**Section 3.** Palm Beach County Code Section 13-105 is amended as set forth below:

**Sec. 13-105. Levying of ad valorem taxes.**

In order to provide funds for the children's services council, the council may levy ad valorem taxes annually on all taxable property in the county in an amount not to exceed the maximum millage rate allowed by law ~~one-half mill~~, provided that the authority to levy such taxes has been approved by a majority vote of the electors of the district voting in a countywide election to be held in accordance with the requirements of the constitution and the laws of Florida and as set forth in this article. . . .

**Section 4. REPEAL OF LAWS IN CONFLICT.**

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of any such conflict.

**Section 5. SEVERABILITY.**

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

**Section 6. INCLUSION IN THE CODE OF LAWS AND ORDINANCES.**

The provision of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Section 7. EFFECTIVE DATE:**

The provisions of this ordinance shall become effective upon filing with the Department of State.



1 **APPROVED AND ADOPTED** by the Board of County Commissioners of

2 Palm Beach County, on the 17th day of April, 2001.

3 PALM BEACH COUNTY, FLORIDA.  
4 BY ITS BOARD OF COUNTY COMMISSIONERS

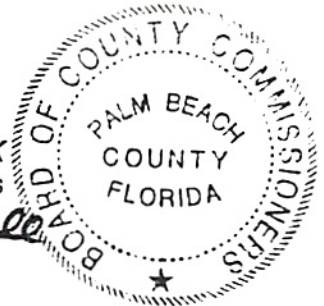
5 By [Signature]  
6 Chairman

7 APPROVED AS TO FORM AND  
8 LEGAL SUFFICIENCY

9 [Signature]  
10 COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK  
Board of County Commissioners

By [Signature]  
DEPUTY CLERK



11 **EFFECTIVE DATE:** Filed with the Department of State on this 25th day of

12 April, 2001.

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STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on April 17, 2001  
DATED at West Palm Beach, FL on 5/8/01  
DOROTHY H. WILKEN, Clerk  
By: [Signature] D.C.